779
346
671

/260 cont./ be understood on a level of indistinction or of solidarity between religious and juridical practices. Under that is glimpsed another level, still more profound, and which certain attitudes, certain proceedings reveal.

The Immediate law

773
627

/The following paragraph is in small type in the original source./ The oath is the golden settlement, Ifçal uwergh, say the a. Lh'sen. It is the sin of men, their obstinacy in lying that have limited its role. In former times a chain hung from the sky to the earth. It sufficed to touch it in taking an oath in order for all to be settled. But one day a debtor of bad faith hid the disputed sum inside a /261/ reed which he had his creditor hold, while he himself, touching the chain, swore that he had paid his debt. The chain immediately ascended to the sky, as punishment for the deception.

627

That is very precisely a myth. It is not because of its coincidence with a scene from Don Quichotte /Don Quixote/ that we cite it, but because of the remarkable distinction that it suggests between a stage of sworn law, with religious character and immediate sanction, and the present stage, which is that of the proceedings. It is also necessary to rectify on two points its interpretation of the first stage, which is perhaps not the most archaic. Gestures, objects with still more immediate juridical value, are disclosed, vestiges undoubtedly, but still quite alive, in the bosom of the present system (1).

627
171

1. Nothing abnormal in that on the plane of comparativism. This stage is found in very ancient Roman law, the beginnings of Greek law, the old Israelite law (story of Moses and Jethro). The affair is settled immediately by recourse to the oath, extispicy, auguries, etc. Elements of this state of things

627
171

/261 cont./

/footnote 1 continued/ can exist for a very long time, or even rise again under the influence of archaizing conditions (cf. the role of the oath in the constitution and defense of the medieval manse). In the Roman procedure, the sacramentum in rem would also be, according to the original interpretation by H. Lévy-Bruhl, "Sur la laïcisation du droit à Rome /On the laicization of the law in Rome/," Revue internationale des Droits de l'Antiquité, 1951, pp. 83 sq., "a test to which one can presume that by reason of the redoubtable forces that it unleashes a party would lend himself only if he considers himself quite sure of his right..." But is this not again a rationalist interpretation?

627
773

And, on the other hand, the religious accent that the myth confers upon the oath indeed risks being only an explanatory addition, quite like the formality of the oath itself. What could count in the archaic stage that appears under there is undoubtedly the gesture of touching the chain which "hangs from the sky": it properly establishes communication with the sacred.

627

Another remarkable thing, it is not to a matter in litigation that the myth's preferences go. It is to a sort of settlement brought about by the parties themselves, and the essential of which resides in the efficacy of an attitude. Technique of sudden releasing, "golden" technique, technique of "the golden age": that is what the instinctive option, the nostalgia, still discernible under the Seksawa's procedural extremism and the passion for the judiciary joust, come to. Nevertheless this archaizing is also accompanied by a critical reflection. Such ambiguity is not surprising.

Be that as it may, to the course familiar to this study, and which consists in approaching the institution only by its most concrete holds, corresponds something in the very opinion of the subject: this primacy given to the techniques of direct settlement and a fortiori to the purest among them, that of settlement without debate.

/269 cont./

776 792 728 security for the civic life of the Idma: elections, warlike or peaceful proceedings, etc. Sometimes, and this is an interesting case, the intervention presents a more precise character, that of legislation. I find a detailed example of this only in the Haut /Upper/ Dwiran, truthfully speaking contiguous to our domain. According to an act of 1052 Heg.: 1642, Sidi ᶜAbd al-Karîm al-Masnâwî (1)

> 1. Is this nasab to be compared to the one that certain members of the Zaouia of Dilâ' bore precisely during this period? The coincidence would be disturbing.

codified the relations between the a. Rrays and the a. Mezgur. [681] [628] This is a penal tariffication of the ordinary type, but offering the originality of resulting from an agreement between villages, under a saint's ministry.

• 773 776 The role of these personages in the assembly of rather vast groups by an operation which is properly a foundation has not, truthfully speaking, given rise among the Seksawa, whose monarchic unification undoubtedly goes back at least to the thirteenth century, to legends as typical as, for example, that of Sidi Brahim of Tighanimin in the I. T'anan (2).

> 2. Very rich legend of a founding saint, recorded by De Leyris, "Le mariage en Idaw T'anan /Marriage in Idaw T'anan/," in. /unpublished/ CHEAM, 1950. This theme of the foundation is current in North Africa. The most celebrated case is that of Moulay Idris. But it is not the clearest, owing to a powerful urban etiology. Analysis will be simpler in the case of synoecisms of bourgs or of rural groups. Cf., for example, C. Trumelet, L'Algérie légendaire, 1892, pp. 118, 121, 180, 181, 184, etc., and Les saints

/269 cont./

773
776

/footnote 2 continued/ de l'Islam, 1881, pp. 234, 241, 336. R. Montagne, Les Berbères et le Makhzen dans le Sud du Maroc /The Berbers and the Makhzan in the South of Morocco/, 1930, p. 169.

(628) But the equilibrium between groups, although of complex base, often lets one perceive its hagiological guarantees. That is conjectured in the story of the elimination of the a. Gasa, brought about, to the profit of the Idma, by a malediction, ddu ᶜâ, of the saint of Z'init'.

776
794

The dues to the saints take on either a commutative or a supererogatory and facultative aspect. The passage from one of these forms to the other is seen particularly in the sense of the weakening of an originally stipulated obligation, which becomes a voluntary gift. /270/ It is in this way that, beneficiaries of an ancient chchard', the a. Sograti of the Haut Dwiran reap no more in a. Musa than facultative presents upon application. In addition, it happens that the same saint collects contractual dues on some products, and only facultative ones on others. Thus for Lalla Aziza who, titulary in Haut a. Musa of a cens on the cereals, collects only at the discretion of the donors a jumuᶜa of butter, that is, the pat churned during the first Friday of the milking season.

To this complexity of content are added other nuances, those that result from infinite variations between cantonal subdivisions concerning the service of the saints. We shall indicate some of them farther below.

In what concerns the recipients of the chchard', new diversity. It is in this way that the a. Musa honor as Seksawa saints Lalla Aziza and Sidi Mh'and. But they adjoin to them a peripheric saint, Sidi bu Abdelli, from Messid in Dwiran, who collects a quarter of a measure of barley per ghrâra, "load," a kharruba of maize per foyer, plus a goat. On the first Sunday in April, at the zaouia of Talfint, the Regraga profit by a ddurt, "end-of-cycle feast," said to be from Sidi Bukhâri, begun in Chyâd'ma.

/270 cont./

776 794 The a. Sgrati (Haut Dwiran) receive no more than facultative gifts. It is the same for the Nâçiriyya of Tamgrût, indeed fallen from their former preponderance.

It would be difficult and, I believe, futile to try to date the origin of these dues which, in the case of the chchard', evoke a consensual dispute between the flock and the saint. The latter is bound to protect the group according to his little speciality in exchange for what we would call in commercial terms a "subscription." It is to the "ancestors," a vague and dilatory expression, that these obligations, it is said, date back. What is striking, in any case, is the total diversity that reigns here as much in what concerns the extension of the group of officiating ministers as in the mode of relation instituted, as in the material of the cens or its proportion in relation to the harvest.

/The next six paragraphs are in small type in the original source./ Thus the Imt'ddan are par excellence the servants of Lalla Aziza. Each foyer owes her the first basketful of agricultural products at the clearing away of the threshing floor (cereals) or of the pile (fruit). These first-fruit offerings are carried ceremoniously to Z'init' on the first Thursday in March: this is called a ṣṣadaqa, but it also gives rise, with the people of Z'init', to a tinubga, that is, a syssitia, as was said in classical Antiquity. [571] The relations between these two groups are in fact complex: relations of religious co-operation regulated down to the details. If the Imt'ddan provide the meat for the banquet, the people /271/ of Z'init' provide the bread. The event has even given rise to an etiological legend.

773 776 794 782 During the course of an expedition in Haut Gedmiwa, the Seksawa one day found themselves in danger. Encircled by the enemy, they could no longer hope for help. One of them had the idea of consecrating to Lalla Aziza, in the event that he escaped, an income of two loaves of bread on the day of sacrifice. Immediately a dark cloud, accompanied by a downpour and thunder, fell between the combatants, and screened the flight of the Seksawa. It is for this reason that on the day of the sacrifice

773 /271 cont./
776 the people of Z'init' henceforth give 24 loaves of bread apiece,
794 instead of 22 as before. The anecdote seems like an excerpt
782 from Pausanias.

776 But the Imt'ddan do not restrict their homage to Lalla Aziza
794 alone. They furnish Sidi Âbdallah u Sâid of the a. Tamment
[431] 1/30 of their cereals, a similar portion going to their mosques,
[735] and still another to the poor. In addition, each foyer pays a kid every two years.

They also give the descendants of Sidi ᶜAyad, still in the Sous, offerings of a discretionary amount, but owe him a feast every year and a kid every two years. The village of Tagunit, and it alone, pays a cens to the neighboring zaouia of Assttif. Lastly, a sheep is sent to the fqih of the Mez'u'd'a for "Easter," that is, for his tafaska (oblation of the Aid Ççghîr).

The differentiation of the recipients is therefore extreme, like that of the donors, even within a small canton. The proportionality observed concerning these parts of the harvest itself is to be noted. Here 1/30.

In the a. Lh'sen, it is the rhythm of one measure per 80 tin s-tmanin that is applied for the dues in barley and maize; one for 100 counted for the nuts, etc. With regard to the "Friday" of butter, the rite is generally observed.

794 It is in the a. Lh'sen that examples will be taken up again in order to study another aspect, that of the remittance to the beneficiaries. In general, the latter divide among themselves by geographic sector the benefices of the chchard' called tisura,
794 equivalent copied from the ar. /Arabic/ futûh'ât. They inherit
437 them, distribute them, mortgage their revenues, sell them, or assign them by drawing lots, as if they were dealing with a mobilizable right: and, in fact, this is what it is. So true is it that the institution of the Atlas juxtaposes in clever shales, if I may venture to say it, the most diverse orders of ideas. In the case at hand, the "mystical" aspect and profane aspect adhere closely. The alienability of a transferable share is one with the ritual entity. Commercialization and the sacred are juxtaposed

/282 cont./

/footnote 3 continued/ arabes de Takrouna /Arabic texts of Takrouna/, 1925, p. 209, n. 6, gives a bibliography.

Does that mean that more ancient elements, announcers of a ritual place, were effaced before Lalla Aziza? The fact remains that a similar defense is lacking toward the upstream part. Evidently, the saint is at home in the back country. There one finds only her maqâm-s or "mansions," which arouse a completely different order of ideas. First, toward the S.-E., in the former domain of the a. Gasa, an oak at the Tizi Az'allo, between Tagonit and Assttif; then a carob tree, igg, at the place called Tiktit, "the frontier," in the valley of the asif n-Tghrin; a walnut tree in the ravine of Tannçmt; and another piece of masonry at Rekto. All that on this side of the crest of the Afuzar. Beyond, at Imi y-ighzeř n-Aissa, in the present habitat of the a. Gasa, and at Anzelfi among the a. Gâir, still other mansions. What is striking is that all these hagiological points, if one posts them on a map, go beyond the present perimeter of the Seksawa.

In the valley itself, one notes, as is frequent, between the agglomeration of Z'init' and Tamezgurt, a raised stone, called "limit of Lalla Aziza." It used to mark the border of the asylum in the upstream direction, in a period when it was not reduced to the constructed site. According to current folklore, the people see in it the petrification of a fiancée and her mount, just as they see, in another rock, the metamorphosis of a wicked chief, amghar yubaddaln rbbi.

More significant are the archeological elements revealable toward the S.-W., that is, in Idma country. One knows that the Idma, more recent immigrants, are the conquerors of the a. Gasa, and that it is thanks to the saint that they defeated them one against two. They /283/ took from them, among others, the village of Anchkrir. There, an ancient endowment assigns about forty parcels to Lalla Aziza, the revenue from which she collects every year in March. Anchkrir is dominated by a high table of

361 /283 cont./Anchkrir is dominated by a high table of 2,000 m., at mid-slope of the Tabgurt, and called "the conjoint areas," Inraren Z'dinin. It is a place of periodic assemblies for the election of chiefs, or meetings preliminary to military expeditions. Forum and bivouac. One notes there a small hypaethral sanctuary, simple circle of stones, dedicated to a Lalla Âzzo, given as the daughter of Sidi Âmer u H'addo, of the issue of the [196] Seksawa kings. At the entrance to the village itself Sidi Sliman u Âmer is buried, to whom is dedicated in the summer a small celebration, in decline elsewhere. The latter is also a historic personage, like H'addo u Âmer, king of the fourteenth century. One cannot fail to be struck by the homonymy between this Lalla Âzzo, of the old royal cycle, and Lalla Aziza, with whom she is [197] identified by some. The name of Aziza, moreover anormal in Chleuh /Shluh/, is still unusual today. The popular language, notably in the choruses, changes it to Âzzt. If it should be identified with the names of Âzzô or Âzzûna, it would perhaps be a matter of the same personage at Z'init' and at Inraren Z'dinin. Then, the existence of an appanage of the saint at Anchkrir, the only village where she has one, would pose the problem of the bond between her cycle and that of the medieval kings. Undoubtedly that is the key to the history of the Seksawa. But how to explain the present site of the sanctuary? Might it result from a displacement of the more modest sepulcher of the higher place? Or would there have been two tombs? We shall probably never know.

The name of Z'init' is curious. It is explained locally by an imperative, with an archaic ending in -it, from the verb z'z'in, "to quarrel, to dispute." The rite confers a certain likelihood to this interpretation. Or else z'z'in-i-t would be a third person of the plural, followed by a preposition and a pronoun. That is, in sum: "are you quarreling" or "one is quarreling for him." All of that, naturally, is pun. There are two "quarrels" in the liturgy [193] of the saint: a legendary pursuit around her body, according to a current hagiological theme; and the blows lavished at the sacrifice of the Mîlâd.

/289 cont./

794 The fund coming from all these contributions is subjected among foqra to egalitarian division. They put it together with the product of the offerings, oboles, etc., collected all during the year in the box, rrbi^{c}t, placed in the zaouia, under the name of tisura, plural of tasarut, literally: "keys," analogous to the Arabic futûh'ât. This benefice is defined by those interested as a lh'obûs, "pious foundation." The analogy is only a rough one.
794 578 Violent competitions between rightful claimants, on one hand, between moqaddem and other beneficiaries, on the other /290/ hand, between men and women also often arise and necessitate
[691] the intervention of justice. One of these conflicts broke out in
[692] 1949 and had to be settled by the assembly of all the Seksawa, constituted as a supreme court, as parties interested in the highest
794 degree by the questions touching upon their saint. An initial deduction of one tenth was set apart for widows and daughters in a state of need, the rest forming the object of an egalitarian division among all the foyers, with the reserve of a preference share for the moqaddem.

The Legend

• 773 The largest part of the revenues come at the great moments
[794] of collective tension of the two annual feasts. But before even
[796] describing these two feasts, and first from the outside, before any
[128] interpretation, as it is time to become acquainted with the legend, I shall give below the account of it that was collected about forty years ago, with an exactitude not suspected of sociological ambition, by the French naturalist Brives, the memory of whom still survives in the valley because he was "the friend" of Lalla Aziza (1).

1. Brives, Voyages au Maroc /Travels in Morocco/, 1909, pp. 256 sq.

We are on the terrace of a house which faces, from the other side of a ravine, that of the saint. All the terraces blaze out

/290 cont./

793 from a rich display of clamors and colors. The rite is about to be carried out. Here is the account which the foreigner can hear and which Brives puts at the beginning of the century.

793 /The rest of this section, up the last paragraph, is in small
796 type in the original source./ "Lalla Aziza was born right here, and from an early age she went to watch the goats in the mountains. Instead of staying with the other shepherds and having her flock graze along the river, where the grass is rich and plentiful, Lalla Aziza went to the heights of the mountain, where there are only rocks. Her goats were nevertheless as fat as those of the other shepherds. By that, God was already showing that he had noticed this child. Nevertheless, jealousy helping, the father of Lalla Aziza paid no attention to the flourishing state of her flock. He demanded that his child traverse the lower parts of the valley and, as she continued to lead her goats among the dry rocks, he repeatedly beat her unmercifully.

"One day while Lalla Aziza was watching her flock at the very summit of the mountain, where no grass ever grew, the father, accompanied by some people from the village, went to join her and reproached her for not following his instructions. Father, replied the child, see for yourself what your flock is eating. And then the father confirmed that his goats had their mouths full of wheat.

"From this moment, the child was regarded as a messenger /291/ from God and everyone admired her. When she became a young woman, she was noted for her piety. She loved solitude, appeared to be always at prayer, and yet her work was always done.

"Since she was among the most beautiful young women of the village, she was sought out for marriage, but refused all suitors.

"One day when she was alone beside the path overlooking the river, she was pursued by a young man whom she had refused. She could not flee because the path had no outlet, and she was about to be seized, when suddenly she disappeared into the mountain, before the astonished eyes of the young man. The young woman's reputation for holiness increased and spread far.

/291 cont./

"The Sultan wanted to make the acquaintance of Lalla Aziza and had her summoned to Marrakech. She went there and continued to be noticed in the city for her piety and for the good that she did around her. She was very honored, but her influence became so great that the Sultan took offense, and Lalla Aziza was thrown into prison. Several times an attempt was made to poison her, but each time that the poisoned dish was presented to her, she refused to eat any of it.

"One day, however, it was her most faithful servant who offered her the poison. Then she said: 'For God I shall eat some of it and for God I shall die.'

"But before doing so, she demanded that, once dead, her body would be tied on a mule and that it would be buried where the mule stopped.

"She ate some of the poisoned dish and died. As she had wished, her body was placed on a mule, which left immediately but could not be followed. The same day, it arrived at the Seksawa, where the body was recognized and buried with great ceremony.

"The inhabitants of Marrakech then erected a beautiful cupola in honor of the saint and obtained permission from the Sultan that the body would be placed there. The transfer took place, but it could be confirmed, several days later, that the body reposed simultaneously in the capital and at the Seksawa. It was then that the Sultan decided that a Kouba /kubba/ identical to that of Marrakech would be built in the mountains."

Brives subsequently devotes only a few lines to the ceremony. Let us thus leave his account in order to gather together a certain number of facts that do not seem to have struck him and whose importance for the meaning of the rite and for its import is considerable.

/304 cont./

776 origins and its attachment to an individualist atmosphere undoubt-
796 edly armed it against this sort of confusion. To which its aspect owes some originality, but also some singularity. It does not have mârûf, and the present marabout takes pride in this.

776 With its intimate association with the gest of the Idma, whose energetic and sly personality it shares, it is this individual reserve with regard to the surrounding hagiology, this persistent vein of orthodox culture, here associated with a disdainful criticism of the milieu, that form its peculiarity.

/305/ A Classic

• 773 The figure of the saint of Ammern is much less intellectual.
776 And much less precise. The traditions concerning his origin differ.
184 According to one, he would have been an Idmâ, a contemporary of sidi Lah'sen. According to others, he came from the Ammeln of the Anti-Atlas, whose distorted name his zaouia still bears, and this would have taken place toward the beginning of our eighteenth century. Finally, according to others, he goes back, through the classic intermediary of the Marrakech mystic, al-Ghazwânî, to the great Machîch al-ᶜAlamî. Three traditions, three systems: one "national"; another conformable to the movement of populations coming from the Anti-Atlas; a third being integrated in the cycle of the Moroccan çufisme /Sufism/, with Nordic origins and relay in Marrakech. Profusion of legitimacy!

776 According to the last tradition, which is warranted by a
175 silsila, a document registering a "chaîne initiatique" /initiatory chain/ on a nonauthenticated copy, which is exhibited at the zaouia, sidi Mh'and died in 820 Heg.: 1417. Eight intermediaries would separate him from the Cheikh /Sheik/ of the Jebel ᶜAlam. This date contradicts the one, much more recent, which would suppose a legendary journeyman-period with the saint of Assttif. But there is nothing unexpected in these antiquities or in these combinations of cycles: the incertitude over the origins is an adjuvant for the fervor.

/305 cont./

776 175 The fact is that the two saints are joined together in a series of adventures in which they are seen "reascending" from the plain, not without differences with the central power.

• 773 776 /The following paragraph is in small type in the original source./ Sidi Mh'and and sidi Lah'sen cultivated together a field in Inzzūyma. But at this time a tyrant reigned over the Qaçba, Amjjot', "the man of the Mjjat'," or "the scurfy one," who oppressed all the piedmont farmers. Mh'and cried tears over it, which, falling to the ground, flew back as sparks. Lah'sen, desirous of incognito, in vain wiped them away with his hand; the tyrant became excited by it. He summoned the two saints and offered them all his wealth if they would confirm his exactions. But Mh'and, shaking a towel that was lying there, made money shower down from it. "You see," he said, "we have no interest in your money. We order you to free all these peasants that you are overburdening." Amjjot', seized by fear, made the promise, and the two saints returned to the mountains. God alone knows if the tyrant executed the commitment.

In this legend one can see an indication of the conflicts between the Seksawa and the power of the plain that builds fortresses to block them: Qaçba Umjjot' in the olive grove to the N.-W. of Inzzūyma, or Qaçba n-Qihra at the narrowing of the valley. Souvenir likewise /306/ of cultivations of mountain people in the plain, on the lands that lower taqbilt-s have now reserved for themselves.

According to other accounts, sidi Mh'and was a peregrinating schoolmaster: in Asif Lh'lu, where his house is shown, at the mosque of Usikis, at Tugg Lkheyr, at the Timzughin zaouia in Mez'ud'a, in a. Âbdella, where he entered into competition with sidi Ghânem and where he was persecuted, like so many other local Berbère /Berber/ peculiarities, by the "black Sultan"; as fqîh, again in Nfifa at Lalla ᶜAfîba, at Afella n-talat (Imintanout), in the defiles of the Amejnes, at the Tizi Wargyun, etc. In short, everywhere.